

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
DULUTH DIVISION**

VIRGIN RECORDS AMERICA, INC., a
California corporation; CAPITOL
RECORDS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; ARISTA RECORDS LLC, a
Delaware limited liability company;
INTERSCOPE RECORDS, a California
general partnership; WARNER BROS.
RECORDS INC., a Delaware corporation;
and UMG RECORDINGS, INC., a
Delaware corporation,

Plaintiffs,

vs.

Jammie Thomas,

Defendant.

Case No.: 06cv1497-MJD/RLE

**DECLARATION OF JOAN CHO IN
SUPPORT OF MOTION FOR SUMMARY
ADJUDICATION OF SPECIFIC FACTS**

I, JoAn Cho, pursuant to 28 U.S.C. § 1746, declare the following to be true and correct to the best of my knowledge:

1. I am Senior Director - Litigation Counsel, Business and Legal Affairs for Universal Music Group (“UNIVERSAL”). My responsibilities include working on behalf of UNIVERSAL-affiliated entities such as Interscope Records and UMG Recordings, Inc. (the “Current UNIVERSAL Companies”). I have possession, custody and/or control of the business records of the Current UNIVERSAL Companies, which are parties to this action. If called and sworn as a witness, I could competently testify to the facts herein.

2. Each of the Current UNIVERSAL Companies is engaged in the creation, manufacture, distribution and/or sale of sound recordings. In connection with this business, the

Current UNIVERSAL Companies generally enter into contracts with musical performers whereby the Current UNIVERSAL Companies either own the copyrights in sound recordings featuring those performers or have exclusive rights under copyright (e.g., reproduction and/or distribution rights) in sound recordings featuring those performers.

3. Attached to this Declaration as Exhibit 1 is a list of copyrighted sound recordings for which recovery is being sought in the above action, including thirrtteen works for which the Current UNIVERSAL Companies own the copyrights in the sound recordings and have exclusive rights under copyright (e.g., reproduction and distribution rights) in the sound recordings (“UNIVERSAL Recordings”). Exhibit 1 shows the artist, song title, album title, and the copyright registration number (SR#) for each of the UNIVERSAL Recordings.

4. The Current UNIVERSAL Companies’ copyright registration for each of the UNIVERSAL Recordings was effective prior to the date on which Plaintiffs observed Defendant infringing them.

5. The UNIVERSAL Recordings in question have been registered with the U.S. Copyright Office.

6. The Current UNIVERSAL Companies did not grant Defendant authorization to upload, download, copy or distribute the UNIVERSAL Recordings.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 23rd day of August, 2007 at Santa Monica, California.

s/ JoAn Cho
JoAn Cho